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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**(Our Case No. 13347US02)**

In The Application Of:

Whittingham et al.

Serial No.: 09/986,226

Filed: October 22, 2001

Examiner: L. Evanisko

Group Art Unit: 2622

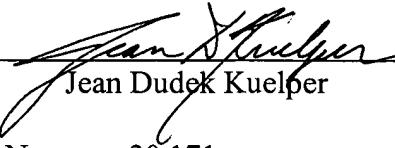
For: RATIOING ALGORITHM FOR A  
LABEL PRINTING SYSTEM  
USING PLATES

Confirmation No.: 4979



**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is  
being deposited with the United States Postal  
Service as first class mail in an envelope  
addressed to: Mail Stop Amendment,  
Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450 on July 6, 2006.

By:   
Jean Dudek Kuelper

Reg. No.: 30,171

**PETITION UNDER 37 C.F.R. 1.78(a)(3) FOR UNINTENTIONALLY DELAYED CLAIM  
FOR BENEFIT OF EARLIER FILING DATE UNDER 35 U.S.C. § 120**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The above identified application as originally filed claimed the benefit of the earlier filing date of its copending parent application which was identified by its title, "Internet Label Production System" and filing date of "September 27, 2001." However, the identification of the parent application did not include its Application Number because as of the filing date of the present application, October 21, 2001, the application number of the parent application had not yet been received.

It is therefore respectfully requested that the paragraph at page 1 of the specification under the heading "CROSS-REFERENCE TO RELATED APPLICATIONS" be replaced with the following paragraph with the missing Application Number inserted.

This is a continuation-in-part of United States application Serial No.

09/965,359 entitled "Internet Label Production System" filed September 27, 2001.

It is requested that the surcharge under 37 C.F.R. 1.17(t) be charged to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

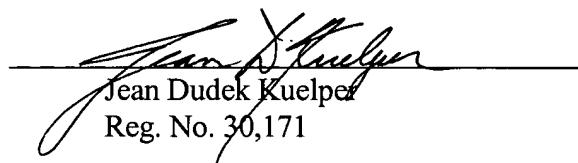
The entire delay between the date that the claim was due under 37 C.F.R. 1.78(a)(3) and the date that the claim was filed was unintentional.

In view of the above, it is respectfully requested that this Petition Under 37 C.F.R. 1.78(a)(3) For Unintentionally Delayed Claim For Benefit of Earlier Filing Date Under 35 U.S.C. § 120 be granted.

Respectfully submitted,

Dated: July 6, 2006

McAndrews, Held & Malloy, Ltd.  
500 West Madison St., 34<sup>th</sup> Floor  
Chicago, IL 60661  
(312) 775-8000



Jean Dudek Kuelper  
Reg. No. 30,171


**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission **3**Application Number **09/986,226**Filing Date **October 22, 2001**First Named Inventor **Whittingham et al.**Art Unit **2622**Examiner Name **L. Evanisko**Attorney Docket Number **13347US02**
**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) Replacement sheet <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return-Receipt Postcard <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**
Firm **McAndrews Held & Malloy, Ltd.**

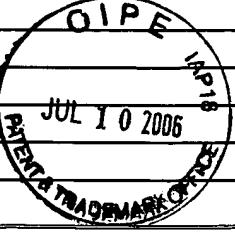
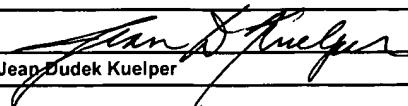
Signature

Printed Name **Jean Dudek Kuelper**Date **July 6, 2006**
**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 6, 2005

Name (Print/type)	<b>Jean Dudek Kuelper</b>	Registration No.(Attorney/Agent)	<b>30,171</b>
Signature		Date	<b>July 6, 2006</b>

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>Fees pursuant to the consolidated Appropriates Act. 2005 (H.R. 4818).</b> <b>Fee TRANSMITTAL</b> <b>for FY 2006</b>		<i>Complete if Known</i>																																																									
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<b>TOTAL AMOUNT OF PAYMENT</b> (\$ 1,370.00)		Attorney Docket No. 13347US02																																																									
																																																											
<b>METHOD OF PAYMENT</b> (check all that apply)																																																											
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<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>																																																											
<b>FEE CALCULATION</b> (All the fees below are due upon filing or may be subject to a surcharge.)																																																											
<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>																																																											
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2" style="text-align: left; padding: 2px;">Application Type</th> <th colspan="2" style="text-align: center; padding: 2px;">FILING FEES</th> <th colspan="2" style="text-align: center; padding: 2px;">SEARCH FEES</th> <th colspan="2" style="text-align: center; padding: 2px;">EXAMINATION FEES</th> </tr> <tr> <th style="text-align: center; padding: 2px;">Fee (\$)</th> <th style="text-align: center; padding: 2px;">Small Entity Fee(\$)</th> <th style="text-align: center; padding: 2px;">Fee(\$)</th> <th style="text-align: center; padding: 2px;">Small Entity Fee(\$)</th> <th style="text-align: center; padding: 2px;">Fee(\$)</th> <th style="text-align: center; padding: 2px;">Small Entity Fee(\$)</th> <th style="text-align: center; padding: 2px;">Fees Paid(\$)</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">Utility</td> <td style="text-align: center; padding: 2px;">300</td> <td style="text-align: center; padding: 2px;">150</td> <td style="text-align: center; padding: 2px;">500</td> <td style="text-align: center; padding: 2px;">250</td> <td style="text-align: center; padding: 2px;">200</td> <td style="text-align: center; padding: 2px;">100</td> <td style="text-align: center; padding: 2px;">_____</td> </tr> <tr> <td style="padding: 2px;">Design</td> <td style="text-align: center; padding: 2px;">200</td> <td style="text-align: center; padding: 2px;">100</td> <td style="text-align: center; padding: 2px;">100</td> <td style="text-align: center; padding: 2px;">50</td> <td style="text-align: center; padding: 2px;">130</td> <td style="text-align: center; padding: 2px;">65</td> <td style="text-align: center; padding: 2px;">_____</td> </tr> <tr> <td style="padding: 2px;">Plant</td> <td style="text-align: center; padding: 2px;">200</td> <td style="text-align: center; padding: 2px;">100</td> <td style="text-align: center; padding: 2px;">300</td> <td style="text-align: center; padding: 2px;">150</td> <td style="text-align: center; padding: 2px;">160</td> <td style="text-align: center; padding: 2px;">80</td> <td style="text-align: center; padding: 2px;">_____</td> </tr> <tr> <td style="padding: 2px;">Reissue</td> <td style="text-align: center; padding: 2px;">300</td> <td style="text-align: center; padding: 2px;">150</td> <td style="text-align: center; padding: 2px;">500</td> <td style="text-align: center; padding: 2px;">250</td> <td style="text-align: center; padding: 2px;">600</td> <td style="text-align: center; padding: 2px;">300</td> <td style="text-align: center; padding: 2px;">_____</td> </tr> <tr> <td style="padding: 2px;">Provisional</td> <td style="text-align: center; padding: 2px;">200</td> <td style="text-align: center; padding: 2px;">100</td> <td style="text-align: center; padding: 2px;">0</td> <td style="text-align: center; padding: 2px;">_____</td> </tr> </tbody> </table>						Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fee (\$)	Small Entity Fee(\$)	Fee(\$)	Small Entity Fee(\$)	Fee(\$)	Small Entity Fee(\$)	Fees Paid(\$)	Utility	300	150	500	250	200	100	_____	Design	200	100	100	50	130	65	_____	Plant	200	100	300	150	160	80	_____	Reissue	300	150	500	250	600	300	_____	Provisional	200	100	0	0	0	0	_____
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Each claim over 20 (including Reissues) _____																																																											
Each independent claim over 3 (including Reissues) _____																																																											
Multiple dependent claims _____																																																											
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<b>3. APPLICATION SIZE FEE</b>																																																											
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).																																																											
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Non-English Specification, \$130 fee (no small entity discount) _____																																																											
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